

173-14-23

Initial designation of regional long-term care ombudsman programs: process.

The SLTCO shall not designate an agency as a new regional long-term care ombudsman program (regional program) unless the agency has complied with all the required structural standards established in paragraph (B) of rule 173-14-22 of the Administrative Code, and has completed an ombudsman plan acceptable to the SLTCO. The SLTCO shall temporarily designate a new regional program as needed.

(A) The SLTCO shall adhere to the following process when designating a sponsoring agency to serve as a new regional program:

- (1) In consultation with the AAA, the SLTCO shall issue a request for proposal (RFP) seeking a sponsoring agency to serve as the regional program. The RFP shall identify all requirements that a sponsoring agency shall meet in order to be designated as a regional program and shall request the submission require any agency that responds to the RFP, within thirty days after responding, of to provide the SLTCO with an ombudsman plan and documents to support the sponsoring agency's claim to meet these requirements.
- (2) The SLTCO shall conduct an on-site visit to each of the eligible agencies responding to the RFP to verify the facts presented in each proposal.
- (3) The SLTCO shall review the ombudsman plans of all proposals submitted and shall choose the agency most appropriate to serve as the regional program. When making a decision, the SLTCO shall take into consideration the recommendation of the AAA.
- (4) The SLTCO shall notify the AAA and responding agencies of the decision. The SLTCO shall include in the notification the right of every agency not chosen to request a hearing to appeal the SLTCO's decision. The notice and hearing process shall follow the procedures ~~established in Chapter 119~~ 119 of the Revised Code.
- (5) The SLTCO shall notify the agency of its designation year.

(B) Any sponsoring agency receiving full or provisional designation as a regional program shall enter into a contract with the AAA or the SLTCO. At a minimum, the contract shall specify the following:

- (1) The geographical region to be served by the regional program.
- (2) A requirement that the regional program shall abide by all state and federal laws, regulations, policies and procedures governing the office of the SLTCO.

- (3) A requirement that the regional program shall abide by all ODA policies and procedures relating to contractors.
- (4) A requirement that the regional program shall comply with all of the reporting requirements in rule 173-14-19 of the Administrative Code.

(C)

- (1) The SLTCO shall develop a summary and action plan in conjunction with the full or provisional designation of each newly designated regional program.

The summary and action plan shall address areas of positive practices and concern. In addition, the summary and action plan shall specify actions to be taken by the regional program to correct problem areas or any violation of the law or the structural standards that are discovered during the initial designation process.

- (2) The summary and action plan shall be developed by the regional program then reviewed and finalized by the SLTCO.
- (3) Once the summary and action plan has been issued, the regional program's director, AAA, or sponsoring agency involved in the designation process shall be given thirty days to provide written or electronic comments to the SLTCO on the content of the summary and action plan. If these parties do not provide written or electronic comments to the SLTCO within thirty days, the summary and action plan shall go into effect. If these parties provide written or electronic comments to the SLTCO within thirty days, the SLTCO shall take the comments into consideration when finalizing the summary and action plan.
- (4) The AAA and the SLTCO shall provide the technical assistance or contacts, or conduct the visits required under the terms of the summary and action plan. If appropriate, the SLTCO may perform a program review to monitor the implementation of the summary and action plan.

Effective:

Five Year Review (FYR) Dates: 10/4/2021

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 121.07, 173.01, 173.02, 173.16; 42 U.S.C. 3025,
3058g; 45 C.F.R. 1321.11, 1324.11, 1324.13, 1324.15
Rule Amplifies: 173.16; 42 U.S.C. 3058g; 45 C.F.R. 1321.11, 1324.11
Prior Effective Dates: 12/27/2001, 12/28/2006, 05/01/2018